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HONOLULU, TERRITORY OF HAWAII, FRIDAY, MARCH 8, 1901.

Price 5 CENTS.

THEY ADJOURNED UNTIL TOMORROW

Senate Committees Wish to Prepare Lot of Work.

SENATOR CARTER SAYS SECONDS MUST RISE

Achi Gives Notice of His Intention to Introduce a Bill Relating to Real Estate.

There was very little done in the Senate this morning. In fact, there was very little to be done. At about 10:50 o'clock, Mr. Carter arose and stated that he had a lot of committee work to do. He was on three important committees and it would take quite a little time to get even a little work in shape for the Senate. The remainder of the Senators were of the same mind, and the motion to adjourn until tomorrow made by Mr. Carter went through without a dissenting voice.

This morning, the rules were adopted without correction. The chair announced that, if there were no objections, the Journal would be adopted as read. Mr. Brown objected, saying that the Senate might just as well proceed according to rules. A vote of the Senate was necessary before the Journal could be adopted. Mr. Carter made the necessary motion and the Journal was adopted.

The clerk read the joint resolution from the House in regard to a committee to visit the burned district as introduced by Mr. Emmelhuth on the 6th day of the month. Mr. Baldwin stated that the resolution, although it had already been sent back once, was not yet in proper shape to be transmitted to the Senate. The resolution as finally adopted should have been sent up. On motion of Mr. Baldwin, the resolution was again submitted to the House. Mr. Baldwin made the suggestion that the clerk of the Senate instruct the clerk of the House as to the proper form.

Under a suspension of the rules, Mr. Kalaupokalani asked that he be allowed further time on the report of the committee of the Senate which investigated the affairs at the settlement on Molo kai. There was no objection and Mr. Kalaupokalani was granted the extra time. It is understood that the report will be a very long one.

Mr. White made the following verbal report for the committee appointed to make arrangements for other quarters for the Senate:

"I went over to the bungalow this morning and found that the work there was almost completed. Tomorrow at noon, if the Senate wishes to adjourn to give time for the moving of desks and other furniture of the Senate, this work can be done so that the Senate will be in good shape to move in on Monday without any trouble whatever."

The report was accepted. Mr. Achi gave notice of his intention to introduce a bill regulating the mortgaging and leasing of real estate by guardians.

Under the order of the day, House Bill No. 1 was read through the first time and passed to the second reading tomorrow.

Mr. Carter proved himself the friend of the stenographer and journal clerk.

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He arose and suggested to the chair that, in the future, he do not recognize any "seconds" except those made by members rising to their feet and addressing the chair in the proper manner, as provided for by the rules. The chair sustained the point of order and stated that, in the future, he would not recognize any "seconds" or "kokuas" unless the members arose to their feet and addressed the chair.

All afternoon and this evening will be spent in meetings of the various committees in order that there may be work in plenty for the Senate when it is called to order tomorrow.

CHINESE OFFICIALS LOSE THEIR HEADS

Peking, Feb. 24.—The execution of six guilty officials will take place tomorrow. The punishment of others has already been finished.

A Shanghai special to the Asahi, dated Feb. 23, says: According to a Sian report received by the Oestastische Lloyd, Princes T'wan and Chwan were apprehended at Lintunkwan, about two or three miles from Sian, while in disguise as merchants.

SENTENCE ONE HOUR

ATTORNEY GENERAL DOLE QUESTIONS JAILOR HENRY

Naihee Said That He Was Compelled to Work in Prison While Awaiting Trial—Henry Denies.

When Naihee was found guilty of larceny yesterday afternoon, his attorney, Mr. Bigelow, stated to the court that the prisoner had been in jail five months awaiting trial and that for four months had been required to perform hard labor. He was interrupted by Judge Humphreys to whom he replied that he did the work under compulsion and in company with prisoners in convict garb. The Court sentenced Naihee the shortest possible term of one hour at hard labor.

The incident in the Circuit Court led to the following correspondence between the Attorney General and Jailer William Henry:

Honolulu, H. I., March 8, 1901.
Mr. Wm. Henry, Jailer Oahu Prison, Honolulu.

Dear Sir:—I am informed that Naihee, who was convicted yesterday of larceny, stated in court that, while awaiting his trial, he was compelled to work on the streets and otherwise as if he were a convict serving his term. If this is true, I think the conduct of the court, as reported to me, is just. If it is not true, justice to yourself requires that the truth should be made known.

Very truly yours,
E. P. DOLE, Attorney General.

Honolulu, H. I., March 8, 1901.
Hon. E. P. Dole, Attorney General of Hawaii, Honolulu.

Dear Sir:—In reply to yours of even date, I would state that there is no foundation whatever for the statement made by Naihee in regard to his being compelled to labor as a prisoner serving sentence, or otherwise; that it was by his own request he was allowed to perform some labor in and about the prison premises; that he was not at any time allowed to communicate or work with convicted prisoners. The labor so performed in and about the jail premises was only at his request and in the interest of humanity. Committed prisoners often ask permission to do labor for exercise. The prison has no need of such labor, as we have a sufficient number of convicted prisoners to perform all the work required in and about the prison. The only cases where committed men have been allowed to work are those in which they have come to me and requested it. He was not clothed in prison garb. All the foregoing can be verified by persons employed about the prison.

Very truly yours,
WM. HENRY, Jailer Oahu Prison.

CARMEN SATURDAY NIGHT.

The drama of Carmen that will be produced Saturday night at the Opera House no doubt is familiar to the theatergoers of this city and to those who have availed themselves of the opportunity of securing their seats a treat in store. Miss Florence Roberts will for the first time enact the role of the vivacious Carmen exactly in full detail as given by her at the Alcazar theater a short time ago.

Miss Roberts has made this role famous and it is safe to say that those who will see this performance will wonder at her versatility in the portrayal of this character. The sale has been very large and a crowded house will greet this artist.

REDUCTION SALE OF STRAW HATS AT IWAKAMI'S HOTEL STREET.

DR. RAYMOND TALKS ON MORAL REFORM

Strongly Opposes the Repeal of the Act to Mitigate.

BELIEVES THE STOCKADE WILL SOON CLOSE

Shows How the Act, Does Not Operate to Legalize Vice But Mitigates the Evil.

Dr. Raymond, president of the Board of Health, is strongly opposed to the repeal of the "Act to Mitigate," for which a bill has been introduced in the House by Representative Hihilo.

"I want to say," said Dr. Raymond, "that the bill is radically wrong. If the supporters of the bill will go into the history of the Act to Mitigate and study the conditions, leading up to its adoption, they would change their minds and the bill would be withdrawn. The Act to Mitigate was introduced by Kamehameha IV. and the Honorable J. T. Dowsett, and was adopted in 1899. Those men knew the conditions of the people here well and were posted on the manner of the spread of diseases, especially such diseases as leprosy and syphilis. It was with a view of protecting the natives from such diseases that the act was created. It is a well known fact among medical men that leprosy is disseminated by inoculation, accompanying venereal diseases. The reason for this law is not only the protection of the present generation, but for the protection of the generations unborn, as well. It is the duty of all men of position to maintain such laws as will mitigate suffering and elevate society."

"I will therefore use all the influence in my power to have the bill continued. I believe it has been a great boon to this country and has proved to be a measure beneficial to the people. There seems to be a general misunderstanding of the nature of the Act to Mitigate. It does not license vice. It was not intended to license anything savoring of vice. It is merely a precautionary measure by which known vicious persons are kept under surveillance for the good of the people. The state may withhold its approval of vice, and yet insist on the right that the vicious carry themselves in a way such as will not jeopardize the health of the public."

"By way of illustration, it is well known that the police have a right to search a known criminal even if it does not afterward appear that he was guilty. In the same way, I hold, the authorities have the right to examine prostitutes and in so doing, prostitution is no more legalized than is theft when a suspect is searched by the officers."

"The Board of Health has nothing to do in the matter of legalizing prostitution. It merely sees to it that the Act to Mitigate is observed. The Act to Mitigate does not license the evil; it does what its title implies, mitigate it."

"As to Iwilei, I want to say, that it is a well known fact that there has been a degenerate class in society since the beginning of history. The question of mitigating vice has been considered by every city and community in the world. Spasmodic reforms have swept by. Laws have been passed against it; but the class is with us yet and will be with us as long as the race exists. You cannot infuse brain substance into the degenerate. It is a question of dealing with abnormal people who are living abnormal lives. It is a question on which all scientists and psychologists are agreed that mitigation of the evil is the best that can be done."

"We know that the social evil will exist in our city. It is not necessary to argue the point. No thinking man would be guilty of advocating a law to strictly legalize this vice. Circumstances, however, compel us to tolerate certain evils and hold those who indulge under close surveillance. The object sought would be fully accomplished by giving this class of people all liberties due the average citizen. That is to say they should have homes and should not be disturbed in their homes as long as they are orderly."

"To put them on exhibition, under the wing of the police department, is nothing more than the creation of a state or city show. It is a mere parody of vice which can have no other effect than to demoralize and disgrace a respectable community. You may say that I believe that Iwilei should be closed at once. I think it will be. I hold this view on the ground that the place is a disgrace to civilization. Iwilei is nothing more than a clever scheme devised by a few men for the purpose of making money. I think the better class of people have submitted to the stockade because they thought it solved a grave problem. It is nothing more than a side show and the hopes of the people have not been fulfilled."

"However, Iwilei is not an outgrowth of the Act to Mitigate and the Act should be continued for the protection of the community after the stockade is locked up which I believe will be in a very short time."

SUPREME COURT DECISION

The Supreme Court made decision today in the case of *Ng Chung Tug vs. Jick Kee*, taken up on exceptions from the First Circuit. The action was for \$130 on promissory note, on which defendant was endorser. The judgment of the lower court for the plaintiff was reversed, the court holding that a stranger to a promissory note, who writes his name across the back thereof before delivery is prima facie an endorser and entitled to notice of the default of the maker.

REPAIR COUNTRY ROADS

The twelfth day's session of House convened this morning at 10 o'clock. Makalei as chairman of the Committee on Public Lands reported on House Bill No. 2 relating to the emergency fund for repairing damage of the storm. The committee amends the bill by making the sum of \$25,000, and appropriates the amount as follows: Hilo, \$2500; Hamakua, \$2500; North Kohala, \$1000; other districts on Hawaii, \$2000; Makawao, \$6000; Waialua mountain road to Lahaina, \$3000; Hana, \$2000; Lahaina, \$1000; Kaula, \$4000; Waialua, Koolauloa and Koolapoiki, \$1000, subject in all districts outside of Honolulu to the approval of the several road boards.

Dickey moved that the report be made a special order for the day. Makekau moved that the report be adopted. Seconded.

Dickey stated that hasty action should not be taken in this matter and spoke of the amount of damage done on the various islands. He wanted time to look over the various amounts for repairs and also to have sufficient time to debate thereon.

Makekau said he wanted the bill brought up now, and action taken at once. He cited several instances on Hawaii where the roads are in such condition that travel is interfered with. Beckley moved immediate consideration of the report. Carried.

Dickey moved that the bill as reported by the Committee be amended. Gilfillan as one of the committee, stated, that, according to all reports the amount of money was sufficient to put all roads in good condition. When the appropriation bill comes around we want every section to secure proper amounts. In case any one district does not require the amount allotted this money will revert to the fund, and we will be that much better off.

Haahoe said that according to the committee report the bill was a good one, and should pass. I am well acquainted with the roads in my district on Hawaii. I know what the conditions are and will vote to adopt the report.

Beckley moved that the report of the committee be made a special order for this afternoon. We must not adopt this report in haste, as there are other roads that need repairs and they must be considered.

Aylett said it was consistent that the motion of Beckley should prevail, and that all portions of the islands should be provided with funds to repair their roads by the people for the leper settlement no mention was made of the road conditions, but upon examination they were found to be in a condition to need repairs.

"I believe in delaying the report until this afternoon. Dickey stated that many repairs to roads are needed throughout the islands due to the devastation of the recent storms, but thought that Maui had felt the storms greater than many other portions. He thought the House might consider the report now."

The report of the committee on the measure was adopted by a vote of the House.

Dickey moved to amend the bill by adding \$1000 for repairing roads on Molokai.

Makekau objected to the amendment. Paale wanted the Dickey amendment to prevail.

Haahoe did not understand just where the House stood, and strongly favored the adoption of the committee report.

Mahoe did not see anything very difficult about the bill.

Dickey arose to a point of order but was not sustained. House bill No. 2 then passed to second reading.

Beckley submitted the report of Committee on Public Health relative to vaccination. Laid on the table to be taken up with the appropriation bill. The report is favorable to the bill. Recess to 2 p. m.

MOTION TO QUASH KAGA INDICTMENT

Denied by Judge Humphreys in Circuit Court Today.

COURT REFERS TO THE GILL CASE AGAIN

Receiver Stewart Authorized to Take Immediate Charge of Maunalei Company's Books and Papers.

The motion of Attorney J. T. De Holt to quash the indictment against Kaga, the Japanese charged with assault with a deadly weapon was denied today by Judge Humphreys. The announcement was made orally from the bench. The Court said that the points differed from those in the Gill case and that his ruling in the Kaga motion had no bearing upon the other case. The Judge also stated that he would make a written decision upon the motion in the Gill case.

This forenoon, in the Circuit Court, the case of the Territory of Hawaii vs. Kanoho and Nahinulili, was tried. The defendants were indicted for larceny in the second degree. The crime consisted in the stealing of a tub of sake from an inter-island boat.

The jurors in the case are: G. W. Clarke, P. M. Lucas, R. C. Lydecker, A. Barnes, James Veltman, J. W. Smithies, D. G. Camarinos, G. Markham, D. L. Conkling, P. H. Burnette, J. H. Mackenzie and P. Lishman.

In the injunction suit of the Territory of Hawaii vs. Her Majesty Queen Liliuokalani and John H. Wilson, motion to dissolve temporary injunction was filed today by Robertson & Wilder, attorneys for defendants. The ground of the motion is that the plaintiff has filed no bond to reimburse the plaintiff, providing the bill is dismissed.

Answer was filed today by the defendant in the injunction suit of the Waialuku Sugar Company vs. the Hawaiian Commercial and Sugar Company. The answer makes certain admissions of fact concerning the Waialuku stream, and admits that the defendant built a wall across said stream which was partially carried away by a freshet. It is denied that the remaining portion of the wall obstructs the flow of the water. Intention to reconstruct the wall is denied.

In the matter in equity, of Gear, Lansing & Co. vs. the Maunalei Sugar Company, Ltd., order was made today concerning the powers and duties of the receiver, T. McCants Stewart. He is authorized to take immediate charge of the books, papers and all other property of whatever kind belonging to the defendant, and, with the approval of the Court, to sell the same or any part thereof at public or private sale.

The receiver is also authorized to conduct the business of the company in all its details and to rent an office for the transaction of such business.

Attorney F. M. Brooks for plaintiff, withdraws the suit of Charles Ah Foo vs. the Scottish Union and National Insurance Company.

In the Police Court this forenoon the name of Manuel Fernandez, charged with vagrancy, was called three times but there was no response. Bail in the sum of \$25 was declared forfeited. Mr. Vivas, who had been retained by the defendant, stated that Fernandez who had said that he intended to commit suicide, had changed his mind about this matter and had gone to Kaula. It will be remembered that the defendant was to have appeared in the Police Court yesterday but he did not appear and the case was set for this forenoon.

There was a very much frightened Chinaman in the Police Court this forenoon. He was Lee Lung, charged with keeping a gambling house. He was found guilty and the judge remarked that he could fine him a thousand dollars and send him to jail for a year if he chose. The Chinaman began to tremble. He then said that he might reduce this sum and make it \$500. He further stated that \$250 might be a good sum and ended by fining the Chinaman \$50 and costs. The poor fellow left the room without a shake left.

Kaonohi and Billa Kahale were arrested this forenoon on the charge of assault and battery on Chau Sing.

THE WATERMAN IDEAL FOUNTAIN PEN. All sizes, all shapes, H. F. WICHMAN.

Samoan kapas, fans and hats at the Woman's Exchange, 314 Fort street.

MINER DIVORCE SUIT.

Papers will be filed tomorrow by Rose A. Miner, discontinuing her suit for divorce against her husband, Dr. F. L. Miner, now pending on appeal in the Supreme Court. Mrs. Miner and daughter, Gladys, have booked to sail for England, leaving Honolulu March 13. The visit will be one of protracted but not indefinite duration. The withdrawal on the part of the complainant of further prosecution of her suit for divorce will be good news to many friends of the family, who will hope the battle over that perfect peace and reconciliation will follow.

DE WET ON THE RUN

Shanghai, Feb. 25.—The Weekly Dispatch states that a Cabinet meeting has been summoned owing to the receipt of a telegram from Lord Kitchener stating that Botha has asked for a meeting to arrange for a general surrender. The enemy are in full retreat and dispersing. They are being vigorously pursued. De Wet's invasion of the Cape Colony has completely failed. It is stated that De Wet has escaped in a boat across the river, fleeing with a handful of followers.

BLYTHE NELL GWYNNE

FLORENCE ROBERTS WINS NEW HAWAIIAN LAURELS

Audience Last Night Was Captivated by the Charming Actress in the Quaint Old English Play.

The second appearance of Florence Roberts before a Honolulu audience gives her a more certain hold upon the affections of the theatergoers as a favorite. As Nell Gwynne at the Hawaiian Opera House last night, she made a pronounced success. The audience was responsive to a startling degree compared with the usual apathetic throng that mutely sees the passing show. Florence Roberts plays to the hearts of her auditors.

As quaint, charming Nell Gwynne, the tomboy of Drury Lane, and orange monger at the King's theater, she caught the fancy of the audience in the first act. The early English story of court intrigue in the time of Charles II. was told as an artist, by Belasco's star. Paul Gerson as the King and Lucius Henderson as Jack Mardyn, Nell's Drury Lane flame, are the only two men who have a chance to do anything in this play. They acquitted themselves with credit but as a stage character, Henderson disappoints the audience momentarily, with the easy indifference with which he transfers his affections from the inimitable Nell to the Lady in Waiting.

The Green Room scene at King's Old Drury was cleverly depicted and was the flavor of the whole play. Curtain calls were numerous last night and it was plain to be seen that the people of Honolulu have opened wide their arms to embrace Florence Roberts who, in two performances, has proved her versatility and shown that she shines in pure comedy as well as in the delineation of the emotions.

Tomorrow night the drama of Carmen will be produced.

QUEEN ELIZABETH SLIPPERS

AND Other Handsome Designs.

Do not overlook your footwear to match your costume. "They are Beauties," and a good large assortment to make your selection from. Do not let the effects of your costume be spoiled by a pair of slippers that do not match, but purchase a pair that will do honor to your costume.

MANUFACTURERS SHOE COMPANY

Sanctuary kapas, fans and hats at the Woman's Exchange, 314 Fort street.